

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH  
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TENTH DAY OF DECEMBER  
TWO THOUSAND AND FOUR

PRESENT

**THE HON'BLE MR JUSTICE N.V. RAMANA**

**WRIT PETITION NO: 22899 of 2004**

Between:

- 1 L.Lakshumma, W/o.Venkata reddy,  
R/o.Itharampeta Village, B.Koduru Mandal,  
Cuddapah Dist.
- 2 B.Subba Reddy, S/o.Subba Reddy,  
R/o.Munnelli Village, B.Koduru Mandal,  
Cuddapah Dist.
- 3 B.Chenna Reddy, S/o.Subba Reddy,  
R/o.Munnelli village, B.Konduru Mandal, Cuddapah Dist.

**... PETITIONERS**

AND

- 1 The District Collector, Cuddapah, Cuddapah Dist.
- 2 The Revenue Divisional officer, Rajampet, Cuddapah Dist.
- 3 The Mandal Revenue Officer, B.Kodur Mandal, Cuddapah Dist.

**...RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of writ of Mandamus declaring the proceedings in B/945/ 2004 dt.25-09-2004 issued by the 2nd respondent as far as petitioners are concerned, as contrary to law, without notice, arbitrary, against the principles of natural justice and without jurisdiction.

**Counsel for the Petitioner: MR.VENKATESWARLU POSANI**

**Counsel for the Respondents: GP FOR REVENUE**

The Court, at the admission stage, made the following:

**ORDER:**

Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue for the respondents, and with their consent, the writ petition itself is being disposed of finally at the stage of admission.

2. As against the impugned order passed by the second respondent in Ref.: B/945/2004 dated 25-09-2004, ordering for deletion of the unauthorized and tampered entries in 1411 fasli Adangal and I-B Register of Itharampet Gram Panchayat in respect of the petitioners lands on the ground that none of the petitioners herein in favour of whom the records are tampered are seen to be granted DKT pattas, it is submitted by the learned Government Pleader for Revenue that there is an effective alternative remedy of appeal to the petitioner before the first respondent – District Collector, and without availing the said remedy, the petitioners have approached this Court.

3. Inasmuch alternative remedy by way of appeal is available to the petitioner against the impugned order; I deem it appropriate to dispose of the writ petition with the following directions:

4. The petitioner may avail the remedy of appeal available to him against the impugned order passed by the second respondent – Revenue Divisional Officer before the first respondent – District Collector along with an application for stay within six weeks from today. On filing of such appeal together with application for stay, the first respondent – District Collector, is directed to consider and pass appropriate orders thereon either on the appeal or on the application for stay, expeditiously. Till appropriate orders are passed on the appeal or the application for stay, whichever is earlier, *status quo* obtaining as on today shall be maintained.

The writ petition is accordingly disposed of at the admission stage.

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**N. V. RAMANA, J**

December 10, 2004

**MRR/TVK**

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To:

- 1 The District Collector, Cuddapah, Cuddapah Dist.
- 2 The Revenue Divisional officer, Rajampet, Cuddapah Dist.
- 3 The Mandal Revenue Officer, B.Kodur Mandal, Cuddapah Dist.
- 4 Two C.C. s to the G.P. for Revenue, High Court Buildings, Hyderabad (OUT)
- 5 Two C.D. Copies.